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SENATE FILE 320

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Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to group health coverage for members of the
2 national guard or organized reserves of the armed forces of
3 the United States.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 320
COMMERCE

1 Section 1. Section 29A.43, Code 2003, is amended to read
2 as follows:

3 29A.43 DISCRIMINATION PROHIBITED -- LEAVE OF ABSENCE --
4 CONTINUATION OF HEALTH COVERAGE.

5 1. A person shall not discriminate against any officer or
6 enlisted person of the national guard or organized reserves of
7 the armed forces of the United States because of that
8 membership. An employer, or agent of an employer, shall not
9 discharge a person from employment because of being an officer
10 or enlisted person of the military forces of the state, or
11 hinder or prevent the officer or enlisted person from
12 performing any military service the person is called upon to
13 perform by proper authority. A member of the national guard
14 or organized reserves of the armed forces of the United States
15 ordered to temporary duty, as defined in section 29A.1,
16 subsection 1, 3, or 11, for any purpose is entitled to a leave
17 of absence during the period of the duty or service, from the
18 member's private employment, other than employment of a
19 temporary nature, and upon completion of the duty or service
20 the employer shall restore the person to the position held
21 prior to the leave of absence, or employ the person in a
22 similar position. However, the person shall give evidence to
23 the employer of satisfactory completion of the training or
24 duty, and that the person is still qualified to perform the
25 duties of the position. The period of absence shall be
26 construed as an absence with leave, and shall in no way affect
27 the employee's rights to vacation, sick leave, bonus, or other
28 employment benefits relating to the employee's particular
29 employment. A person violating a provision of this section is
30 guilty of a simple misdemeanor.

31 2. An officer or enlisted person of the national guard or
32 organized reserves of the armed forces of the United States
33 who has coverage under a group policy for accident or health
34 insurance as an employee or member or as the spouse or covered
35 dependent child of an employee or member, whose coverage under

1 the group policy would otherwise terminate while the officer
2 or enlisted person was on a leave of absence during a period
3 of temporary duty or service, for any purpose, as defined in
4 section 29A.1, subsection 1, 3, or 11, shall be considered to
5 have been continuously insured under the group policy for the
6 purpose of obtaining coverage under the group policy upon a
7 return to employment or to status as a full-time student who
8 is twenty-five years of age or less. This subsection does not
9 apply to coverage of an injury suffered or a disease
10 contracted by a member of the national guard or organized
11 reserves of the armed forces of the United States in the line
12 of duty.

13 EXPLANATION

14 This bill provides that an officer or enlisted person of
15 the national guard or organized reserves of the armed forces
16 of the United States who has coverage under a group policy for
17 accident or health insurance as an employee or member or as
18 the spouse or covered dependent child of an employee or
19 member, whose coverage under the group policy would otherwise
20 terminate while the officer or enlisted person is on a leave
21 of absence during a period of temporary duty for any purpose,
22 as defined in Code section 29A.1, subsection 1, 3, or 11,
23 shall be considered to have been continuously covered under
24 the group policy for the purpose of obtaining coverage under
25 the group policy upon a return to employment or to status as a
26 full-time student who is 25 years of age or less. The bill
27 does not apply to coverage of an injury suffered or a disease
28 contracted by an officer or enlisted person of the national
29 guard or organized reserves while in the line of duty.

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